

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

**IN RE INJECTAFER PRODUCTS
LIABILITY LITIGATION**

This Document Relates To:

**CROCKETT v. LUITPOLD PHARMA.,
INC., NO. 2:19-cv-00276;**

**ATKINSON v. LUITPOLD PHARMA.,
INC., NO. 2:19-cv-00277; and**

**KRUEGER v. LUITPOLD PHARMA.,
INC., NO. 2:19-cv-00984.**

NO. 2:19-CV-00276-WB

HON. WENDY BEETLESTONE

**JOINT STIPULATION TO AMEND
SCHEDULING DEADLINES**

IT IS HEREBY STIPULATED AND AGREED, by and between Plaintiffs Katherine Crockett, Melanie Atkinson, and Jennifer Krueger (“Plaintiffs”) and Defendants American Regent, Inc. (“ARI”),¹ Daiichi Sankyo, Inc., Daiichi Sankyo US Holdings, Inc., and Vifor (International) AG (“Vifor”)(“Defendants”) (collectively, the “Parties”), through their respective counsel, and subject to the approval of the Court, that scheduling deadlines set by the Court in its Order dated August 23, 2021, for the above-captioned Group 1 cases be amended as follows:

1. Any expert reports intended solely to contradict or rebut evidence on the same subject matter identified by another party are due no later than July 15, 2022,

¹ The American Regent, Inc. entity named as a defendant in Plaintiff’s Complaint was a wholly-owned subsidiary of Luitpold Pharmaceuticals, Inc. and no longer exists. To streamline its business, Luitpold Pharmaceuticals, Inc. merged this entity into itself on December 31, 2018. Thereafter, the surviving entity was renamed American Regent, Inc. Herein, use of “American Regent, Inc.” refers to all of the new surviving entity, the former Luitpold Pharmaceuticals, Inc., and the former American Regent, Inc.

- extended from January 14, 2022;
2. Any discovery depositions of expert witnesses shall be completed by October 14, 2022, extended from April 15, 2022;
 3. Any motions for summary judgment and/or Rule 702 (*Daubert*) Motions for the Group 1 cases shall be filed and served on or before November 10, 2022, extended from May 13, 2022;
 4. If the Parties do not plan on filing summary judgment and/or Rule 702 (*Daubert*) Motions, they shall so report to the Court (Chambers, Room 1014) on or before November 10, 2022, extended from May 13, 2022;
 5. Any oppositions to motions for summary judgment and/or Rule 702 (*Daubert*) Motions shall be filed on or before December 15, 2022, extended from June 10, 2022; and
 6. Any replies in support of motions for summary judgment and/or Rule 702 (*Daubert*) Motions shall be filed on or before January 13, 2023, extended from June 24, 2022.
 7. A hearing for any Rule 702 (*Daubert*) Motions in the First Group 1 Jury Trial Case² will be held at 9:00 AM on **Wednesday, April 12, 2023**.

² The Parties styled this Order to track the Court's previous Order, however, depending on the nature of the motions and the issues raised at that time, Defendants believe it may be more efficient for the Court, and more helpful to the Parties, to hear Rule 702 (*Daubert*) and summary judgment motions filed in all three Group 1 cases at the same time, rather than limiting the hearing to the first trial case, especially if some motions relate to more than the first trial set case. Defendants ask the Court to consider reserving the decision on whether to hear such motions in one or more cases. Plaintiffs disagree and believe that in the interests of efficiency and time, the Rule 702 (*Daubert*) and motion for summary judgment hearing as set forth in this Order should be reserved for the first trial case. The Parties can submit new Proposed Orders with dates specific to the second and third Group 1 trials that will include the relevant Rule 702 (*Daubert*) and summary judgment hearing dates therein.

8. A hearing, if any, for any summary judgment motion(s) in the First Group 1 Jury Trial Case³ will be held at 9:00 a.m. **Thursday, April 13, 2023.**

9. The first jury trial is scheduled for 9:00 AM on **Monday, June 5, 2023.**

STIPULATED TO and AGREED TO BY:

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³ See Footnote 2 above.

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Dated: July 11, 2022

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SO ORDERED, this 14th day of July 2022

/s/Wendy Beetlestone, J.

WENDY BEETLESTONE, J.